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June 26, 2014

By Mail

Elizabeth Winter, Esq.
Interlocutory Attorney
United States Patent and Trademark and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Green Ivy Educational Consulting, LLC v. Green
Ivy Holdings LLC, Opposition No. 91211873

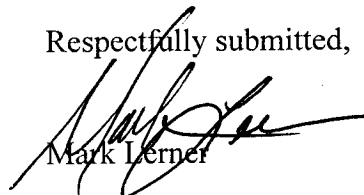
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Dear Ms. Winter:

We represent opposer, Green Ivy Educational Consulting, LLC ("Opposer"), in the above-captioned matter, and write in response to the Trademark Trial and Appeal Board's (the "Board") Order in that matter dated June 23, 2014. As you know, on June 18, 2014 Opposer filed a combined motion for sanctions and for summary judgment. On June 23, 2014, the Board ruled that, because "the standards for deciding [Opposer's] motions [for sanctions and for summary judgment] are unrelated and the times for responding to said motions are different, such a combined motion is inappropriate... [and] the Board shall treat opposer's motion solely as one for summary judgment."

Opposer respectfully submits that the Federal Rules of Civil Procedure and the Board's Manual of Procedure do not prohibit such a combined motion, and that Opposer made the combined submission in order to most efficiently present the relevant issues to the Board. To the extent the Board views the combination of the two motions as "inappropriate," Opposer therefore requests that it be granted leave to submit a separate motion for sanctions, and that such a separate motion be considered by the Board in parallel with the motion for summary judgment.

Respectfully submitted,


Mark Lerner

cc: Joseph Englander (by email)
Daniel Barsky (by email)



07-02-2014

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